

REFERENCE TITLE: toll roads; ADOT; private entity

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1042

Introduced by
Senator Harper

AN ACT

AMENDING SECTIONS 28-7702 AND 28-7745, ARIZONA REVISED STATUTES; RELATING TO TOLL ROADS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-7702, Arizona Revised Statutes, is amended to
3 read:

4 28-7702. Transportation facility requirements

5 A. The plans and specifications for a transportation facility
6 constructed pursuant to this article shall comply with the department's
7 standards for state projects. During the term of the lease, a transportation
8 facility constructed by and leased to a private entity is deemed to be a part
9 of the state highway system.

10 B. ~~The board shall approve a transportation facility constructed or
11 operated pursuant to this article only if a reasonable alternative route
12 exists.~~

13 C. ~~A transportation facility constructed or operated pursuant to this
14 article shall:~~

15 1. Accommodate the same type of motor vehicles as the existing
16 alternative facility.

17 2. Provide a route that is at least as direct as the existing
18 alternative facility.

19 Sec. 2. Section 28-7745, Arizona Revised Statutes, is amended to read:

20 28-7745. Board powers

21 A. The board shall:

22 1. Review and approve or deny the application submitted pursuant to
23 section 28-7742.

24 2. Supervise and control the operator in the performance of its duties
25 under any agreement negotiated with the department.

26 3. Correct any abuse in the performance of the operator's public
27 duties.

28 B. The board may require from the operator a report describing the
29 nature of its contractual and other relationships with individuals or
30 entities contracting with the operator for the provision of significant
31 financial, construction or maintenance services. The board shall review the
32 report and other materials as it deems necessary to determine improper or
33 excessive costs.

34 C. ~~The board may grant approval of a roadway project to be constructed
35 or operated pursuant to this article only if a reasonable alternative route
36 exists. A roadway project constructed or operated pursuant to this article
37 shall:~~

38 1. Accommodate the same type of motor vehicles as the existing
39 alternative route.

40 2. Provide a route that is at least as direct as the existing
41 alternative route.

42 Sec. 3. Department of transportation contract to build toll
43 road

44 Notwithstanding title 28, chapter 22, Arizona Revised Statutes,
45 relating to transportation project privatization:

1 1. On or before December 31, 2009, the department of transportation
2 shall issue a request for proposals for the construction by a private entity
3 of a toll road beginning at the intersection of Loop 303 and Seventy-fifth
4 Avenue and ending in Prescott, Arizona.

5 2. On or before June 30, 2010, all proposals for construction of the
6 toll road must be submitted to the department of transportation.

7 3. On or before December 31, 2010, the department of transportation
8 shall award the contract for construction of the toll road.